

REMARKS

Claims 12, 17, 29 and 45 have been cancelled without prejudice or disclaimer.

New claims 51-53 have been added.

Claims 1, 18, 34 and 50 have been amended. Support for the claim amendments can be found at page 23, line 2 – page 24, line 11, and page 75, line 1- page 77, line 7 of the specification.

Claims 1-11, 13-16, 18-28, 30-44 and 46-53 are currently pending and under consideration. Reconsideration is respectfully requested.

I. REJECTION OF CLAIMS 1-4, 7-9 AND 11-50 UNDER 35 U.S.C. 103(a) AS BEING UNPATENTABLE OVER HUXTER (U.S. PATENT PUBLICATION NUMBER 2002/0107820)(PREVIOUSLY CITED) IN VIEW OF YANG (U.S. PATENT PUBLICATION NO. 2002/0072945)(PREVIOUSLY CITED) AND FURTHER IN VIEW OF KUBO (JAPANESE PUBLICATION NO. 2002-324118):

The foregoing rejection is respectfully traversed.

Claim 1 has been amended to recite:

“A method for processing physical distribution information, said method comprising:
receiving and registering schedule information from a customer member, corresponding to availability status information of the customer member for receiving a package addressed to the customer member;

registering information concerning at least one of a family member of said customer member and a lodger of said customer member;

receiving a shipment request from a sender of a package;
determining a delivery form relating to said shipment request with reference to the registered schedule information of the customer member; and
generating delivery request information for a distributor in accordance with the determined delivery form, when the determined delivery form involves a movement of the package, and

wherein said determining comprises referring to the schedule information of at least one of the registered family member of said customer member and the registered lodger of said customer member to make one of the registered family member and the registered lodger receive the package delivered to an address of said customer member, when said customer member to receive the package is unavailable for receiving.”

Independent claims 17, 18, 34 and 50 recite similar features as those in claim 1. Neither of the foregoing references, individually or combined, discuss the features as recited in claim 1, for example.

In contrast, paragraphs [0254] and [0255] of Huxter discuss specifying an alternative collection point, which is different from that of the original delivery destination such as a collection point designated by a customer. Huxter fails to discuss a package being deliverable to the same delivery destination. That is, Huxter fails to discuss a package being delivered to “an address of said customer member” as recited in claim 1, for example, even when “said customer

member to receive the package is unavailable for receiving” as also recited in claim 1. Specifically, Huxter nor any of the other foregoing references, individually or combined, discuss or even suggest **“wherein said determining comprises referring to the schedule information of at least one of the registered family member of said customer member and the registered lodger of said customer member to make one of the registered family member and the registered lodger receive the package delivered to an address of said customer member, when said customer member to receive the package is unavailable for receiving”** as recited in amended claim 1.

Further, paragraphs [0060] – [0062] of Yang merely disclose a buyer setting up pickup points and entering a pickup time as a default. The server may set a station time as the time a MPS stays at the pick up point, for example, between 4pm and 7pm, and the buyer comes between those times to pickup the buyer's products. The set pick up time gives the MPS server a planning tool as how long a MPS will stay at a pickup point before the MPS is sent to a next assignment. It can also be a guide for sending reminders to the buyer for pickups such as a telephone call or email messages.

Further, in regards to new claims 51-53, Huxter merely discloses customer contact information, which includes email addresses, phone numbers, address information and a preferred Automated Collection Point (ACP) (See paragraph [0179]). Further, in Huxter, the customer must first order specific goods from an Etailer in order to schedule a delivery to specified ACP site. The Etailer asks the customer to specify the address to which the specific goods should be received. In Huxter, the customer does not register schedule information in advance. In addition, as previously mentioned, Yang merely discloses that a buyer first reviews product items to be purchased, then decides whether to order a specific product and proceeds to an order mode prior to marking a calendar to indicate the days which the buyers wants the **specified, ordered product** to be delivered (See paragraphs [0063] – [0065]). Yang fails to disclose that the calendar may be marked to indicate days of delivery in advance to ordering the specific products.

At page 5 of the Office Action, the Examiner admits that neither Huxter nor Yang, individually or combined, teach or suggest all of the features recited in claim 1, for example. However, the Examiner asserts that Kubo makes up for the deficiencies of both Huxter and Yang. The Applicants respectfully disagree.

As to the Kubo reference, Kubo was published on November 8, 2002. The U.S. filing date (i.e., September 25, 2001) of the present application predates the publication date of Kubo. Therefore, Kubo does not qualify as prior art.

Accordingly, it is respectfully requested that the rejection is overcome.

II. REJECTION OF CLAIMS 5, 6 AND 10 UNDER 35 U.S.C. 103(a) AS BEING UNPATENTABLE OVER HUXTER IN VIEW OF YANG AND KUBO AND FURTHER IN VIEW OF PARTOVI (U.S. PATENT PUBLICATION NO. 2002/0126813)(PREVIOUSLY CITED):

Dependent claims 5, 6 and 10 indirectly or directly depend from claim 1. Therefore, the comments above in Section I may be applied here also.

Withdrawal of the rejections is respectfully requested.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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